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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/271,249	03/17/1999	TAKASHI SHINZAKI	614.1948	3857

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STAAS & HALSEY LLP  
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WASHINGTON, DC 20005

EXAMINER

GURSHMAN, GRIGORY

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 10/02/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/271,249

Applicant(s)

SHINZAKI ET AL.

Examiner

Grigory Gurshman

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 11.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16, 18-24 and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky (U.S. Patent No. 6,092,192) in view of Strait (U.S. Patent No. 6,038,315).

2. Referring to the instant claims, Kanevsky discloses a method for repetitive enrollment in a biometric recognition system (see title and abstract).

Referring to claims 1, 9, 14 and 18, Kanevsky teaches the method of extracting, processing and recognizing the biometric information of the user (see abstract and Fig 2). The limitation "measuring means for measuring biometric information" is met by a spoken utterance (see column 4, lines 60-65 and Fig 3), which receives the biometric (voice) sample. The limitation "converting means for carrying out a predetermined conversion process" is met by encryption device (see Fig 3).

"Extracting feature information from the converted biometric information" is met by an extractor for extracting a biometric attribute from a user (see column 3, line 40). Kanevsky teaches comparing previously stored sample with the contemporaneously provided sample (see column 4, line 15) within the biometric verification system (see column 6, line 5). The limitation "biometric information of individuals which was previously obtained and registered in advance" is met by storing biometric attribute in a memory device of a server (see column 3, line 40). Kanevsky, however, does not explicitly teach verifying the extracted feature converted biometric information by comparing it against the extracted feature converted biometric information previously obtained. Referring to the instant claims, Strait discloses a system for normalizing biometric variations to authenticate users from a public database (see abstract). Strait teaches recording (i.e. extracting) the original biometric information and convolving (i.e. converting) the biometric measurements (i.e. extracted feature) – see column 53, lines 50-55. Strait teaches verifying the converted biometric information by comparing the error correcting codewords produced from the convolved biometric measurements (i.e. converted extracted feature biometric information) –see column 2, lines 30-50 and Fig.2, blocks from 54 to 92.

Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to verifying the extracted feature converted biometric information of Kanevsky by comparing it against the extracted feature converted biometric information previously obtained as taught in Strait. One of ordinary skill in the art would have been motivated to verify the extracted feature converted biometric information by

comparing it against the extracted feature converted biometric information previously obtained as taught in Strait for securing a cryptographic system based on biometric measurements (see Strait, column 2, lines 60-65).

4. Referring to claims 2, 3, 10 and 11, the limitation "personal information related to the individual as the parameters" are met by password and decryption key (see column 8, line 40).

5. Referring to claims 4, 7, 8 and 12, the limitations recited in these claims are met by Fig 1, which shows a network with the client computers where the extraction and encryption takes place and the server where verification takes place. The limitation "enciphering key" is met by the encryption keys (see column 7, line 55-65).

6. Referring to claims 5, 6, 13 -16, 19 - 24, 26 - 30, Kanevsky teaches the use of a server memory device(see abstract), which constitutes "recording medium", recited in the instant claims.

4. 7. Claims 17, 25 and 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Priddy (U.S. Patent No. 5,984,366) in view of Strait (U.S. Patent No. 6,038,315).

8. Referring to the instant claims Priddy discloses a system for creating and authenticating self-verifying articles (see abstract). The limitation "converting means for carrying out a predetermined conversion process " is met by computer, which includes the necessary encodation (conversion) algorithms (see column 5, lines 28 - 29).

Priddy teaches encoding the biometric data by using at list compression algorithms (see

column 7, lines 33 -35). Priddy, however, does not explicitly teach verifying the extracted feature converted biometric information by comparing it against the extracted feature converted biometric information previously obtained. Referring to the instant claims, Strait discloses a system for normalizing biometric variations to authenticate users from a public database (see abstract). Strait teaches recording (i.e. extracting) the original biometric information and convolving (i.e. converting) the biometric measurements (i.e. extracted feature) – see column 53, lines 50-55. Strait teaches verifying the converted biometric information by comparing the error correcting codewords produced from the convolved biometric measurements (i.e. converted extracted feature biometric information) –see column 2, lines 30-50 and Fig.2, blocks from 54 to 92.

Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to verifying the extracted feature converted biometric information of Priddy by comparing it against the extracted feature converted biometric information previously obtained as taught in Strait. One of ordinary skill in the art would have been motivated to verify the extracted feature converted biometric information by comparing it against the extracted feature converted biometric information previously obtained as taught in Strait for securing a cryptographic system based on biometric measurements (see Strait, column 2, lines 60-65).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (703) 306-2900. The examiner can normally be reached on 9 AM-5:30 PM.

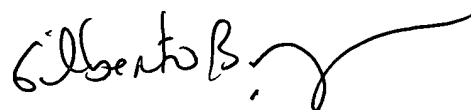
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



GG  
September 26, 2003

Grigory Gurshman  
Examiner  
Art Unit 2132



GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100